

BILL

No. 58 of 1928.

An Act to amend The Government Liquor Control Act of Alberta.

(Assented to _____, 1928.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Government Liquor Control Act of Alberta, Amendment Act, 1928.*"

2. *The Government Liquor Control Act of Alberta*, being chapter 14 of the Statutes of Alberta, 1924, is amended as to section 2 thereof by adding as paragraph (jj), immediately after paragraph (j) thereof, the following:

"(jj) 'Hamlet' shall mean any place not within the boundaries of any city, town or village, which is not more than one-half mile square in area and contains more than two separate buildings used as residences and at least one other building used for any business other than that of agriculture or a railway, and in which there is a resident population of not less than twenty, together with any quarter-section of land upon which any of such buildings are situate, and the quarter-section contiguous thereto, except such parts of any such quarter-sections as are included in any city, town or village."

3. Section 13 of the said Act is amended by striking out subsections (2) and (3) thereof and substituting therefor the following:

"(2) Before the vendor shall make delivery of any liquor, other than beer, sold pursuant to this section, he shall—

"(a) have first received an order in writing, dated and signed by the purchaser, setting out the number of his permit and the kind and quantity of the liquor ordered; and

"(b) have received from the purchaser his permit and shall have endorsed thereon the kind and quantity of the liquor sold and the date of sale; and

"(c) have been paid the purchase price in cash.

"(3) A vendor may, in accordance with this Act, and the regulations made thereunder, sell and deliver beer to any

person who is the holder of a subsisting permit entitling him to purchase beer under this Act, and to a licensee who is the holder of a subsisting license under this Act to keep and sell beer; provided that no delivery of beer sold under the provisions of this section shall take place until the purchaser has paid for the same in the manner prescribed in the regulations under this Act."

4. Section 39 of the said Act is amended as to subsection (1) thereof, by adding thereto the words "or to do any one or more of such things."

5. Section 52 of the said Act is amended by striking out subsection (2) thereof, and substituting therefor the following:

"(2) The Board, if of opinion that any such proprietary or patent medicine, extract, essence, tincture or preparation which contains alcohol, or any other preparation of a solid, semi-solid or liquid nature containing alcohol which, or any extract from which, can be used as a beverage or as the ingredient of any beverage, may, with the approval of the Lieutenant Governor in Council, prohibit the sale thereof by retail within the Province, or the possession of the same for sale by retail within the Province, except by a Government Liquor Store, or by persons duly licensed by the Board to keep and sell the same by retail in accordance with this Act and the regulations made thereunder."

6. Section 53 of the said Act is amended by adding as subsection (2a) thereof, immediately after subsection (2), the following:

"(2a) In the event of a petition being received from a hamlet, the Lieutenant Governor in Council may enlarge such hamlet by the addition of territory contiguous thereto, and create the enlarged hamlet a local option area, and any territory so added shall for the purpose of this section, cease to form part of the municipality to which it belongs, for a period of two years from the taking of the plebiscite therein."

7. Sections 69 and 70 of the said Act are hereby struck out.

8. Section 71 of the said Act is amended by adding thereto the following proviso:

"Provided, however, that this section shall not at any time operate to prevent the taking of a plebiscite in any part of a municipal district or improvement district forming part of a hamlet enlarged under the provisions of section 53."

9. Section 80 of the said Act is amended as to subsection (1) thereof, by adding at the end thereof the words "or beer."

10. Section 100*a* is added to the said Act immediately after section 100, as follows:

"100*a*. No person not expressly authorized by this Act to deal in liquor, shall within the Province keep for sale, offer for sale, or sell any thing which is labelled or branded with the name of any kind of liquor, whether the same contains any liquor or not."

11. Section 108 of the said Act is amended as to subsection (1) thereof, by striking out paragraph (*a*) thereof and substituting therefor the following:

"(*a*) to a fine of not less than three hundred dollars nor more than one thousand dollars and costs, and in default of payment thereof, to imprisonment with hard labour for a period of not less than three months or more than six months."

No. 58.

SECOND SESSION
SIXTH LEGISLATURE
18 GEORGE V
1928

B I L L

An Act to amend The Government
Liquor Control Act of Alberta.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LYMBURN

EDMONTON:
W. D. MCLEAN, ACTING KING'S PRINTER
A.D. 1928